



2873

Patent  
Attorney Docket: 263/080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Richard Gelbard**

**Serial No.:** 09/838,060

**Filed:** April 19, 2001

**For:** Viewfinder For High Definition Video  
Camera

**Group Art Unit:** 2873

**Examiner:** Unknown

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INFORMATION DISCLOSURE STATEMENT

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Commissioner for Patents  
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Sir:

Applicant(s) hereby disclose to the Patent Office patents, publications or other information of which they are aware, that they believe may be material to the patentability of one or more of the pending claims in this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR 1.56 and the submission thereof by Applicant(s) shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR 1.97h), or even qualifies as "prior

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(37 C.F.R. §1.8a)

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art" under 35 USC §102 with respect to this invention unless specifically designated by Applicant(s) as such.

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR 1.56, exists.

Attached is PTO Form 1449 listing the patents, publications and other information that may be material to the patentability of one or more claims of the subject application and copies of all such items are enclosed herewith.

This Information Disclosure Statement is believed to be timely in that it is being submitted under 37 CFR 1.97(b)(3) before the mailing of a first Office Action on the merits, whereby no petition or fee is required. However, if counsel for applicant is in error in this regard, the Commissioner is requested to consider this a petition and he is authorized to charge any required petition fee to counsel's Deposit Account No. 12-2475.

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The two sheets of literature from "OpTex" provided herewith illustrate a viewfinder that assertedly was first marketed in 1990 and that this literature was used at that time. Applicant has no further information as to when this literature was distributed or the exact construction of the illustrated viewfinder.

Respectfully submitted,

LYON & LYON LLP

Dated: 9/26/01

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